

REMARKS

Claims 1-24 are presented for further examination. Claims 1, 4, and 15 have been amended.

In the final Office Action mailed July 26, 2005, the Examiner withdrew the previous finding of allowability of claims 1-14 if claims 1-4 were rewritten or amended to overcome a rejection under 35 U.S.C. § 112, second paragraph, and has now rejected claims 1-4, 15-17, and 24 under 35 U.S.C. § 102(b) as anticipated by newly-cited U.S. Patent No. 5,831,566 ("Ginetti"). In addition, claims 18 and 19 were rejected under 35 U.S.C. § 103(a) as obvious over Ginetti in view of applicant's admitted prior art ("APA"). Claims 20-23 were rejected as obvious over Ginetti in view of newly-cited U.S. Patent No. 5,844,515 ("Park"). Claims 5-14 were found to be allowable.

Applicant respectfully disagrees with the bases for the rejections and the finality of the Office Action and requests reconsideration and further examination of the claims.

Impropriety of Finality of Office Action

Applicant respectfully requests the Examiner to withdraw the finality of the current Office Action. In the first Office Action, the Examiner found all claims to be allowable over the art of record if a minor informality in claims 1-4 was overcome. Applicant amended the claims as the Examiner requested, expecting allowance of the case. No art was cited in the first Office Action.

Now, the Examiner has cited new references for the first time and rejected claims 1-4 and 15-24 over this new art for the first time. Although applicant previously amended the claims, the amendment was to provide clarification in order overcome a rejection under 35 U.S.C. § 112 as requested by the Examiner. The amendment was not made to overcome any art. In view of the foregoing, applicant respectfully submits that the finality of the Office Action is improper and should be withdrawn.

Response to Rejections Over the Art

The Examiner has relied on Ginetti to reject claims 1-4, 15-17, and 24 under 35 U.S.C. § 102(b). In the remarks accompanying the rejection, the Examiner states that Ginetti discloses a decoder having a selection circuit, which the Examiner identifies as transistors MN0-MN3 and MP0-MP3 (reference number 130). The Examiner also refers to these same elements as a deselecting circuit. The control signals from the decoder 120 in Ginetti, lines 122-129, have been identified by the Examiner as “outputs.”

Applicant respectfully disagrees with the Examiner’s characterization of Ginetti. In the present invention, as set forth in claim 1, an improved binary decoder is recited. The decoder of Ginetti is identified as element 120, not the other elements identified by the Examiner. In claim 1 of the present invention, the decoder includes selection means for activating from a plurality of outputs a selected output corresponding to an input binary value, and deselecting means coupled to the plurality of outputs that utilizes the selected output to deactivate the plurality of outputs except the selected output when the selected output is activated.

The distinctions between claim 1 and the teachings of Ginetti are clear. First, claim 1 recites two independent and distinct elements, a selection means and a deselecting means as comprising a binary decoder. The Examiner ignores the decoder 120 of Ginetti and asserts that the transistors 130, which are controlled by the decoder 120 correspond to the claimed selection means and deselecting means. In actuality, in Ginetti the decoder sends control signals to the transistors which, in response to the control signal of the decoder, turn on or turn off. The transistors do not perform any function of decoding, such as selection and deselection. Rather, they merely respond to control signals from the decoder.

Moreover, nowhere does Ginetti teach or suggest that the selected output is used to deactivate the plurality of outputs that are not selected. This is clearly taught in the present invention at page 6, lines 15-21, which states that “the present invention utilizes the selected active output of the decoder to set the other outputs to the inactive state.” Clearly, there is no teaching or suggestion in Ginetti of this use of the selected output, even assuming the Examiner’s characterization of Ginetti’s digital-to-analog converter is correct.

In view of the foregoing, Applicant respectfully submits that claim 1, as well as dependent claims 2 and 3 are all allowable over Ginetti.

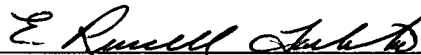
Independent claim 4 and independent claim 15 also recite the feature that the deselecting means or circuit deactivates the plurality of outputs except the selected output by utilizing the selected output. Applicant respectfully submits that these independent claims and all claims depending therefrom are clearly allowable for the reasons why claim 1 is allowable.

In view of the foregoing, applicant submits that all of the claims in this application are now clearly in condition for allowance. In the event the Examiner disagrees or finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicant's undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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